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IN THE UNITED STATES DISTRICT COURT MAY 31 2022  
FOR THE DISTRICT OF MARYLAND

AT BALTIMORE  
CLERK, U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

BY

DEPUTY

UNITED STATES OF AMERICA

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v.

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CRIMINAL NO. GLR-19-318

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SEAN WESTON

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Defendant

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**MOTION TO RETURN SEAN WESTON \$189,320 WORTH OF JEWELRY AND \$13,891 IN CASH, AND SETTLEMENT DOCUMENTATION FROM PEHDERHUGHES TITLE INC. THAT WAS ILLEGALLY SEIZED FROM HIS HOME**

NOW COMES, Defendant SEAN WESTON, "Pro se" and files this **MOTION TO RETURN SEAN WESTON \$189,320 WORTH OF JEWELRY AND \$13,891 IN CASH, AND SETTLEMENT DOCUMENTATION FROM PEHDERHUGHES TITLE INC. THAT WAS ILLEGALLY SEIZED FROM HIS HOME IN Indictment 1:19-cr-00318-GLR**, pursuant to 18 U. S. C. App Fed. R. Crim. P. Rule 12; of the Fourth Superseding Indictment filed by the United States Government, filed on March 10, 2022, which charges Sean Weston with **Conspiracy to Import, Transport, and Sell Drug Paraphernalia, 21 U. S. C. § 846; Drug Paraphernalia, 21 U. S. C. § 863; Conspiracy to Commit Entry of Goods by Means of False Statement, 18 U. S. C. § 371; Entry of Goods by Means of False Statement, 18 U. S. C. § 542; Attempt to Evade or Defeat Tax, 26 U. S. C. § 7201; Failure to File Tax Return, 26 U. S. C. § 7203; Money Laundering, 18 U. S. C. § 1957(a); Aiding and Abetting, 18 U. S. C. § 2; Forfeiture, 18 U. S. C. § 982; 21 U. S. C. § 853** and in support of this motion, petitioner states as follows:

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1. On or about July 17, 2019, I, Sean Weston the petitioner was arrested and taken into custody as my home was raided by use of a forced entry no knock warrant that was issued by Magistrate judge A. David Copperthite and charged accordingly under the first indictment filed on or around June 27, 2019 in violation of my Fourth Amendment rights and due to a lack of probable cause in the search warrant that was obtained by an affidavit, of which the truth was sworn to by DEA Special Agent Lee T. Ratliff, (see Affidavit in support of an application for a search warrant "PROBABLE CAUSE" in criminal case 1:19-cr-00318-GLR, Doc. SW34-0038, 64. through Doc. SW34-0041, 68.)
2. Special Agent Lee T. Ratliff falsified the facts in the case by omitting the names of Cornelius Carroll aka "Turk" and Anthony Williams aka "Toney" from the wiretap conversation calls made on January 22, 2019 from target phone 3 that actually prove who sold and was supplying these items to one named "Robert Jones", Special agent Ratliff also omitted the names of Micheal Williams aka "Mike", and Derick Saunders aka "Duke or Dukie", from criminal case 1:19-cr-00318-GLR, the same four men that actually owned and operated the Opaque Variety Store (see Doc. 543-4, Doc. 543-5, Doc 543-6, and Doc. 543-7 filed 11/20/20, in criminal case 1:19-cr-00318-GLR titled 2. Summery of Interceptions over Target Telephone 3 pg. 4,5,6,7 and wire tap transmissions of T-III target phone of Ronald McCormick (443)-977-3968, calls 2058 from Robert Jones, 2059 to Carroll, 2061 from Carroll, 2062 to Carroll, 2091 to Carroll, 2092 to Jones, 2093 to Saunders, 2094 from Jones, 2095 from Jones, 2096 from Jones, 2097 to A. Williams, and 2103 to A.Williams.
3. The calls prove that Special agent Ratliff did lie with all intended purpose of maliciously starring the criminal case\_1:19-cr-00318-GLR in the direction of Sean Weston by only showing the call #2060 made to Weston on January 22, 2019, at 7:56 pm from the target phone 3 of Ronald McCormick, it was clear that Sean Weston had no clue what Ronald McCormick was even talking about. Sean Weston was sent before Magistrate A. David

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Copperthite and the previous AUSA Matthew DellaBetta who should have already known that there was a falsification of the facts in the case made by Special agent Ratliff.

4. Therefore, despite the issuance of a warrant based on inaccurate and misleading statements of agent Lee T. Ratliff, the search made without probable cause and was made in violation of Sean Weston's fourth Amendment rights. *Illinois vs. Gates*, 462 U.S. 213 (1983), *Franks v. Delaware*, 438 U.S. 154 (1978) and *Wong Sun v. United States*, 371 U.S. 471, 479 (1963),
5. On July 19, 2019 the court held a detention hearing, and based on what had been facts proffered by the previous AUSA Matthew DellaBetta, the prosecutorial misconduct caused extreme prejudice to Defendant worthy of sanctions, and as grounds states:
  - A. "[Mr. Weston] is intrinsically involved with this criminal street enterprise." (see July 19, 2019 Transcript of Detention Hearing pg. 14 line 12-13)
  - B. "He is fueling this gang. And he is dealing with them. He is operating with them. They listen to him." *Id.* (see July 19, 2019 Transcript of Detention Hearing pg. 14, line 20 to 22)
  - C. "[t]he evidence will show that he is a fundamental part of the enterprise..." *Id.* (see July 19, 2019 Transcript of Detention Hearing pg. 10, line 19 - 20.)
  - D. "[h]e is intrinsically tied to this criminal enterprise. He is not merely a supplier. He is helping run them." (see July 19, 2019 Transcript of Detention Hearing pg.15, line 5-7)
  - E. "[H]e has allied himself with gangs and he is helping them..." *Id.*, (see July 19, 2019 Transcript of Detention Hearing pg. 29, line 13-14.)

"[H]e is in bed with this enterprise." *Id.*, (see July 19, 2019 Transcript of Detention Hearing pg 29-30, line 25-1)
6. The previous AUSA Matthew DellaBetta presented to the court that defendant Sean Weston owned and operated the Opaque (Cutting agent) business and that was as early as 1999 (see exhibit C, July 19, 2019 Transcript of Detention Hearing pg. 6, lines 19 through 22, pg. 11,



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lines 14 through 16, pg. 12, lines 1 through 3, and pg. 28, lines 14 through 18) Matthew DellaBetta knew for a fact that Mr. Carroll, and the two William brothers, Micheal and Anthony Williams owned and operated the Opaque business( see exhibit A, Business Data Entity Search Opaque, LLC; File Number: W17808858; Filing Date of February 22, 2017, Registered Agent is Anthony Williams,( see Doc. 543-4, Doc. 543-5, Doc 543-6, and Doc.543-7 filed 11/20/20, in criminal case 1:19-cr-00318-GLR titled 2. Summery of Interceptions over Target Telephone 3 pg. 4,5,6,7 between Ronald McCormick, Cornelius Carroll, Anthony Williams, Mike Williams, and Robert Jones, see and listen to wiretap transmissions of T-III target 3/ 443-977-3968 phone of Ronald McCormick, calls 1268, 2058, 2059, 2060, 2061, 2062, 2091, 3373, 3481, 3485, 3497, 3510, 3537, 3589, 3637, 3678, 4525, 4684, 4685, 6082, 8538, 8545, 8730, 9198, 9378, 9668, 12496, 13502, 13903, 14101, 14102, 14103, 14333, 14337, "15139" with Cornelius Carroll, and calls 806, 878, 879, 891, 1264, 1767, 1768, 1956, 2103, 2829, 2840, 4517, 4685, 4719, 5520, 5907, 6028, 6083, 6085, 6515, 6520, 7262, 7340, 7865, 9460, 9478, \*9478, 9543, 9757, 10174, 10558, 11661, 12494, 12500, 13496, 13501, \*13504, 13506, 13511, 13546, 13686, 13698, 13710, 13904, 14207, 14215, 14224, 14226). between Ronald McCormick and Anthony Williams, see and listen to wiretap transmissions T-III target 3/ 443-977-3968 phone of Ronald McCormick, calls 1268, 2058, 2059, 2060, 2061, 2062, 2091, 3373, 3481, 3485, 3497, 3510, 3537, 3589, 3637, 3678, 4525, 4684, 4685, 6082, 8538, 8545, 8730, 9198, 9378, 9668, 12496, 13502, 13903, 14101, 14102, 14103, 14333, 14337, and \*15139 between Cornelius Carroll and Ronald McCormick)

7. The previous AUSA Matthew DellaBetta blatantly lied that an I-Pad belonging to Sean Weston was recovered from inside the Opaque business when the warrant was executed (see July 19, 2019 Transcript of Detention Hearing pg. 12, lines 24 through 25, pg. 29, line 6 through 8) when in actually, the I-Pad was found inside the Stone Pit Community Center upstairs on the bar, which is located next door to the Opaque business( see exhibit B, Doc. Device description, see exhibit C, DEA inventory sheet) again the government purposefully and willfully falsified the facts in regarding detaining Sean Weston.

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8. I, Sean Weston was ordered held without bail by Magistrate judge A. David Copperthite (see July 19, 2019 Transcript of Detention Hearing pg. 32, line 7-9 and 12-13) a fraud worthy of sanctions was brought upon the court. the wiretaps contradicted all the lies that was proffered by the previous AUSA Matthew DellaBetta, Each of these statements was used by the previous AUSA Matthew DellaBetta to incarcerate Sean Weston. Each of these statements was false. And the Government has acknowledged as much.

9. The test for actionable prosecutorial misconduct “has two components; first the defendant must show that the prosecutor remarks or conduct were improper and second, the defendant must show that such remarks or conduct prejudicially affected his substantial rights so as to deprive him of a fair trial. *United States v. Mitchell*, 1 F. 3d 235. 240 (4th Cir. 1993).” *United States v. Sheetz*, 293 F.3d 175, 185 (4th Cir. 2002). Here, the prosecutor false statements did more that deprive Sean Weston of a fair trial, the prosecutors false allegations deprived Sean Weston of his very own freedom and placing his life in danger by holding him in jail for almost 10 months under the section of the Bail Reform Act that should have never been applied against him.

10. Mr. Anthony “Toney” Williams should have been arrested and charged in the criminal case 1:19-cr-00318-GLR as his name appear as being the Owner of the Opaque Business, but as fare as I know, he was never charged along with his brother Micheal Williams, Cornelius Carroll or Derick Saunders.

11. The Opaque business was a target in the governments investigation of alleged criminal activity. during my nearly 10 months of incarceration, I wrote judge Russell a letter that was attached to a motion on or about November 18, 2019( see Document 188 filed on 11-18-19, pages 1 through 10) explaining that I, Sean Weston is an innocent father of 10, US Army Veteran, who had just retired from the Army Corp of Engineers with 2 top secret security clearances, that were running into every roadblock in order to keep me from opening up my Community Center



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and Catering Hall, the Stone Pit, in a poor black community. I called everyone for help, even the City Council person Sherron Middleton and Neighborhood association President Sherron Bradford of that community just to name a few, but what I found out was that both was in total opposition to Me, Mr. Weston, opening up my Community Center, so a plan was hatched to get rid of me, Mr. Weston from out of the neighborhood because I was accused of doing to much, (see Doc. SW34-0040, pg 34, paragraph 67)

12. Beyond the false statements made with the express intent of incarcerating Sean Weston without a trial, the Government misled the court about the phone calls from the wiretap. Mr. McCormick spoke with Mr Carroll before and after he spoke to Mr. Weston on January 22, 2019 about obtaining a "box". The Government and agent Ratliff affidavit, omitted these other calls, leaving the erroneous impression that Sean Weston was the primary source of the cutting agents for Mr. McCormick that supplied Robert Jones. The truth is that the Government knows that McCormick was source some other way, and the prosecutor did eventually admit that Mr. McCormick was able to get resupplied elsewhere, but if that is the fact, the only point of telling the Court about Sean Weston call was to mislead the Court into thinking that Sean Weston was the supplier of Mr. McCormick, when he was not as the wiretap phone calls state, and to suggest any other outcome in any way is simply false.

13. And finally, Sean Weston, by the Government own actions and admissions (and omissions) was never a part of any drug conspiracy, was not "in bed" with the drug conspirators and was never involved in the same acts or transactions as the drug conspirators. The Government statements to contrary at two detention hearings where false. These repeated false allegations about the ownership of the Opaque business, the location of the defendant's laptop, the intentional commission of relevant phone calls that show that Sean Weston was not part of any conspiracy and neither was he Mr. McCormick "supplier further added to the misconduct of the prosecutor in presenting false and misleading statements about Sean Weston.

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The prejudice to Sean Weston for nearly three years is a total miss courage of justice and cannot be remedied by any actions other than dismissal of the current indictment.

WHEREFORE, defendant Sean Weston moves this court to dismiss the indictment against him due to prosecutorial misconduct, and selective and vindictive prosecution.

Respectfully Submitted,



Sean Weston, Defendant  
8624 Glen Hannah Court  
Windsor Mill, MD 21244  
Email: *mikesean396@gmail.com*  
Phone: (667) 319-8457

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing motion was filed in the United States District Court, 101 Lombard St., Baltimore, MD 21201 and furnished by US Mail to the United States District Attorney's Office, 36 South Charles Street, Baltimore, MD 21201, this 25<sup>th</sup> day of May, 2022.



Sean Weston, Defendant, Pro Persona

CC: ALL NEWS MEDIA OUTLETS, MSNBC, FOX NEWS, NEWS 13, WMAR 2, NEW YORK TIMES, BOSTON GLOB, WASHINGTON POST, AFRO AMERICAN NEWS PAPER, ECT.....

UNITED STATES FEDERAL PROSECUTORS OFFICE  
MAYOR AND CITY COUNCIL MEMBERS OF BALTIMORE